

SENATE BILL REPORT

SHB 1144

As Reported By Senate Committee On:
Judiciary, March 21, 2007

Title: An act relating to jurisdiction over judgments.

Brief Description: Providing a uniform method of transferring a municipal court judgment into district court.

Sponsors: House Committee on Judiciary (originally sponsored by Representatives Williams, Warnick, Rodne, Campbell, O'Brien, Lantz, Goodman and Moeller).

Brief History: Passed House: 1/29/07, 97-0.

Committee Activity: Judiciary: 3/16/07, 3/21/07 [DP, w/oRec].

SENATE COMMITTEE ON JUDICIARY

Majority Report: Do pass.

Signed by Senators Kline, Chair; Tom, Vice Chair; McCaslin, Ranking Minority Member; Hargrove, Murray and Weinstein.

Minority Report: That it be referred without recommendation.

Signed by Senators Carrell and Roach.

Staff: Dawn Noel (786-7472)

Background: Municipal courts and municipal departments within district courts have jurisdiction over civil and criminal violations of city ordinances, many of which can result in monetary penalties. Municipal courts and municipal departments do not have jurisdiction to issue orders of garnishment and attachment, which can be used to enforce monetary judgments. Attachment involves the seizure of one's property to secure a judgment. Municipal courts and municipal departments often assign unpaid money judgments to collection agencies.

District courts have jurisdiction over civil actions where the amount at issue is not more than \$50,000. District courts can use garnishment and attachment to enforce judgments. They do not have authority to issue liens on real property. The filing fee for civil actions in district court is \$43.

Summary of Substitute Bill: District courts are granted jurisdiction over proceedings to civilly enforce any money judgment from a municipal court or municipal department of a district court. The proceeding may be brought in the district where the municipal court or

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municipal department is located. Once transferred, the municipal judgment is recognized as a judgment of the district court. The district court may not vacate or amend the judgment. The district court filing fee to transfer the judgment is \$43.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This bill codifies existing practice and creates a statewide procedure for moving municipal court money judgments into district courts for enforcement purposes. This legislation has been unopposed in past years, but it just got lost in the shuffle in the end.

Persons Testifying: PRO: Kevin Underwood, Washington Collector's Association.